

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WILLIAM D. RILEY,)	
)	
Plaintiff,)	
)	Case No. 15-cv-11180
v.)	
)	Honorable John Z. Lee
SALVADOR GODINEZ, et al.,)	
)	
Defendants.)	

INITIAL STATUS REPORT

Defendants, Joshua Clements, Charles Best, David Mansfield, Tarry Williams, Michael Range, Nicholas Lamb, Nicholas Fredricks, Kevin Laskey, Jenny McGarvey, Jill Hosselton, and Cherry Marshall, by their attorney, Lisa Madigan, Illinois Attorney General, and in their Initial Status Report, state the following:

I. Nature of the Case

A. Identify the attorneys of record for each party, including the lead trial attorney.

Plaintiff, William D. Riley, *pro se*

Defendants, Joshua Clements, Charles Best, David Mansfield, Tarry Williams, Michael Range, Nicholas Lamb, Nicholas Fredricks, Kevin Laskey, Jenny McGarvey, Jill Hosselton, and Cherry Marshall are represented by Assistant Attorney General Joseph P. Lupinacci, attorney of record and lead trial counsel, 100 W. Randolph Street, 13th Floor, Chicago, Illinois 60601.

B. State the basis for federal jurisdiction.

Jurisdiction is based on 28 U.S.C. § 1331 and 1343(a).

C. Describe the nature of the claims asserted in the complaint and any counterclaims.

Plaintiff brings a retaliation claim against Defendants, pursuant to 42 U.S.C. §1983, arising out of events that allegedly occurred at Stateville Correctional Center. In response, Defendants filed a motion to dismiss Plaintiff's Amended Complaint in its entirety and assert that Plaintiff has misrepresented and

concealed the number of lawsuits that he has filed. Additionally, Defendants argue that Plaintiff has a tendency to file numerous duplicate lawsuits despite this Court's admonitions against doing so, which demonstrates a disregard for this Court. Lastly, Defendants argue that any claims against them in their official capacities for monetary damages should be dismissed.

D. A statement of the major legal and factual issues in the case to be submitted by each side in 200 words or less per side. A party need not agree to the opposing party's statement.

Plaintiff claims that Defendants retaliated against him for filing grievances, lawsuits, and engaging in "jailhouse lawyering activities." Plaintiff alleges that in retaliation, Defendants ordered arbitrary cell extractions, transfers, and holds; denied or inhibited him from obtaining medical treatment; and put him in solitary confinement. Defendants deny the allegations of retaliation.

E. Describe the relief sought by the plaintiff.

Plaintiff's complaint requests judgment in an amount to be determined at trial; for costs; for pre-judgment and post-judgment interest; for compensatory and punitive damages; and for such other legal and equitable relief as the Court deems just and proper

II. Pending Motions and Case Plan

A. Identify the Day/Date of the Initial Status Hearing

Thursday, June 22, 2017, 9:15 a.m.

B. Identify All Pending Motions

Defendants filed a motion to dismiss pursuant to FRCP 12(b)(6), which has been fully briefed by all parties. However, some of the Defendants named in the Plaintiff's complaint have not yet been served.

C. Submit a proposal for a discovery plan, including the following information:

- (1) The general type of discovery needed, including any potential electronic discovery or bifurcated discovery:** Counsel for the Defendants was not able to reach the plaintiff prior to the submission of this report. However, counsel for the Defendants anticipates exchanging Interrogatories and Document Requests, and taking the deposition of the plaintiff.
- (2) A date for Rule 26(a)(1) disclosures:** September 2, 2017.
- (3) A date to issue written discovery:** August 16, 2017.

- (4) **The need for, and content of, any proposed protective orders (in accordance with the Local Rules for the Northern District of Illinois):** Not at this time.
- (5) **A fact discovery completion date:** October 31, 2017.
- (6) **Whether there will be expert discovery, and, if so, an expert discovery completion date (including expert disclosures and depositions):** Counsel for the Defendants was not able to reach the plaintiff prior to the submission of this report. However, the parties have not yet determined at this time whether there will be expert discovery and wish to reserve setting an expert discovery schedule at this time.
- (7) **A date for the filing of dispositive motions:** Thirty days after the completion of discovery. If no expert discovery schedule is entered, counsel for the Defendants proposes November 30, 2017.
- (8) **A tentative trial date:** June 2, 2018.

D. With respect to trial, indicate the following:

- (1) Defendants request a jury trial.
- (2) Defendants anticipate trial lasting three to five days.

III. Consent to Proceed Before a Magistrate Judge

At this time, Defendants do not consent to proceeding before the magistrate judge.

IV. Status of Settlement Discussions

At this time, the Parties have not yet engaged in settlement discussions and Defendants do not believe a settlement conference would be productive at this point.

Respectfully submitted,

LISA MADIGAN
Attorney General for Illinois

/s/ Joseph P. Lupinacci
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Attorney for Defendants

CERTIFICATE OF SERVICE

TO: William D. Riley (#B-03069)
Stateville Correctional Center
P.O. Box 112
Joliet, IL 60434

The undersigned certifies that on June 16, 2017, he electronically filed the foregoing document with the Clerk of the Court for the United States District Court for the Northern District of Illinois using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. The undersigned further certifies that the foregoing document was served upon the above individual via U.S. first class mail, proper postage prepaid.

/s/ Joseph P. Lupinacci